

CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
May 5, 2022

SUBJECT: Flood Management Area Permit
FILE: PA-22-14
ATTENDEES: Applicant: Clement Walsh
Staff: Chris Myers (Planning), Lynn Schroder (Planning)
Public: None

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Site Information

Site Address: 18404 Old River Landing
Tax Lot No.: 21E14AD00402
Site Area: 19,899 Square Feet +/-
Neighborhood: Robinwood Neighborhood Association
Comp. Plan: Low Density Residential
Zoning: Single-Family Residential Attached, R-10
Zoning Overlays: N/A
Applicable CDC Chapters: Chapter 11: Single-Family Residential Attached, R-10
Chapter 27: Flood Management Areas
Chapter 28: Willamette and Tualatin River Protection

Project Details

Backyard landscaping improvements including a fire pit, seating wall, gravel paths, pavers, decking, planters, hot tub, bench, railing, and native plantings.

Pertinent Factors:

The applicant is proposing backyard landscaping improvements within a Flood Management Area as well as a Habitat Conservation Area (HCA). Proposed project includes replacing existing gravel pathways, existing stairs, adding a safety railing, native plantings, a seating wall, a hot tub, and possibly a concrete pad for the hot tub.

The entire backyard of the property is in the Habitat Conservation Area. Construction in the HCA is allowed however, the applicant will need to have an engineer analyze the impact of a concrete pad in the HCA. If deemed not harmful to the HCA, a permit will be issued.

Replacement or repair of pathways and stairs is allowed without a permit. The same is true for replacement or repair of existing deck. However, if deck is expanded it will need to be part of the HCA/Willamette River Protection permit.

Discussion centered around the proposed improvements and the potential challenges. No trees are proposed to be removed. There are exemptions to the land use process for certain projects within the Flood Management Area, see code language in Chapter 27.030 Exemptions and Chapter 28.040 Exemptions/Uses Permitted Outright.

The proposed railing is exempt from the Flood Management Area Permit. The railing is not permitted through the Building Department. The Building code does not apply to an external railing that does not lead into or out of the home.

It was noted by the applicant, during the pre-application conference, that construction of a concrete pad for the proposed hot tub would be needed. The applicant will need a Willamette River Protection Permit in order to construct a concrete pad. The same permit will apply to the seating wall as well.

Any plantings will need to be native. Removal of non-native invasive species is allowed.

Note that the City is nearing finalization of text amendments related to the implementation of Oregon House Bill 2001 and related legislation. These changes are not expected to substantially change the proposed design, but staff wants you to be aware that a broader variety of housing types may be permitted on your properties. For more information please visit the following website: <https://westlinnoregon.gov/planning/house-bill-2001-phase-2>

Building: For building code and ADA questions, please contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054.

Engineering: For work in the right of way and utility questions, please contact Erich Lais at elais@westlinnoregon.gov or 503-722-3434.

Tualatin Valley Fire & Rescue: Please contact Jason Arn at jason.arn@tvfr.com or 503-259-1510 with any questions.

Process: For the proposal, address the submittal requirements and standards for decision making in the Community Development Code (CDC) chapters:

Chapter 11: Single-Family Residential Attached, R-10

Chapter 27: Flood Management Areas

Chapter 28: Willamette and Tualatin River Protection

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver.

The fee for a Minor Partition is \$1700 deposit; unused funds will be refunded to the applicant.

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided. Once complete, the City has 120 days from the date of completeness to make a final decision on the application.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application **or provide any assurance of potential outcomes**. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required. Any changes to the CDC standards may require a different design or submittal.